App. F. IX-4

Previous References

Law 93-35-1

1935.
(Law)

File No. 93-35
Serial Nos. 2-6

Letter References.

PRESERVED

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 5

Part B for February 1936

SUBJECT.

Civil Suit - against - Messrs Horakopp Krishnadas and Bagawane Devgoud for recovery of the amount misapplied by them in connection with the deputation to Dewas.

Sec. to

The Dy. Commr. Kadur Dn.
" Pl. Dn. Board "
" Executive Engr. "
" Govt. Advocate

NDP 51,90-93 dt 5-2-1936

Directs that for reasons given further action may be dropped

Secretary
5-2-1936

WD 0607—GPB—22,500—24-35

5467
P 6 99

J. O. No. L. B. 1-126/33-34.

OFFICE OF THE PRESIDENT,
KADUR DISTRICT BOARD,

Dated, Chikmagalur 30th November 1935

Mr. Bagamane Deva Gowda,
President.

GENERAL SECRETARIAT
2- DEC. 1935

Dear Sir,

I am in receipt of the Government Order No. P.3219-22 Law. 93-35-1 dated 13th November 1935 regarding Railway Deputation charges. In this connection I write to state that when the Government Order was placed for the information of the Board at their meeting held on the 15th and 16th instant, they resolved that Government be requested to reconsider the question. I have submitted the Resolution through the Deputy Commissioner for the kind perusal and favourable orders of Government.

Meanwhile I had sent the Vice-President to Hosakoppa to consult Mr. Hosakoppa Krishna Rao about the payment of dues. The Vice-President returned this morning. I will be able to arrange for payment of a portion of the amount.

Under these circumstances I request you to kindly move Government to reconsider the question and issue immediate instructions to the Deputy Commissioner to wait for a fortnight. Thanking you in anticipation.

With regards.

Yours sincerely,

To

M. Venkatesa Iyengar, Esq., M.A.,
General Secretary to Government,
in Mysore, Bangalore.

3- DEC. 1935

1) Submitted for perusal and orders

K. , of Kadur Dt. B'= Re. deportation charges.

(1) (2

320
3339/

General and Revenue Secretariat | Year File No. 93 of 1935 | [App. F. III—2

Serial No.

2) Has the plaint been rec'd for appl? or has it not come here at all?

Rao
3/12

3) The plaint has to come here for approval. It has not yet been received. The D.C. has to engage a lawyer at Chickmagalur & get the plaint drafted & send it for approval.

(Gen Secy)

Rao
3/12

1) The D.C.'s President's letter is for perusal. It does not seem necessary to give time as they have had plenty of time to pay in if they had wished. As however the plaint has to come here for appl and has not yet been received, there is no harm in letting them have fifteen days. The Pres. may in the circs be perhaps informed that no further time can be given but that if pay't is made before 15th Dec. further proc'gs will be stayed; and a copy of the comm'n sent to the DC with the request to hurry up sub'n of the plaint,

Rao
3/12

Sec'y (Member)
First Member

WD 03594—GPB—30,000—18-7-35

From,
The Dy. Kadur

Rem. no. given d. 1-12-35 forwarding a copy of the rep't of the Dt. B'= and stating that the case deserves no re-consideration.

DEPOT OF THE BOARD OF REVENUE
No. 4298

OFFICE OF THE FIRST MEMBER BOARD OF REVENUE
4 DEC. 1935
3915

NOTE.—Comm. Sheet.

5) This letter received now is also for perusal
Rao 7.12

Mg
1-12-35

Rao
4/12/35

Rao
3/12

Rao 6/12 Rao 6/12

Law File No. 93 of 1935. General and Revenue Secretariat

7) Issue today treasurant

MC

9/12

To,

Mr Bageriane Devegowda.

DO no. P.3750 d. 9.12.35 informing that if the amount is paid before the 15th inst. further proceedings will be stayed.

Copy to the DC Kadur

From,

Mr Hosakoppa Krishna Rao

Letter dated 8.12.35 praying for the release of his liability to pay the amount due.

8) Order of the Diwan on the P.W.D.

"The letter to DC is not happily worded. I told him that if he expressed regret and begged to be excused, the matter would be considered amicably and he agreed. But the letter he has now written is not a straightforward one and should be rejected. I feel."

(80) Record

H. Lakshmipathi Rao
National Heroin Hotel
Opposite to Shivananda Theatre
Bangalore City

Camp. Bangalore City
8. 12. 1935

Dear Mr. Noronha,

I am enclosing herewith a letter (Cover) for favour of your very kindly placing before the Dewan immediately.

Thanking you for favour of acknowledgement & with best regards

Yours truly
H. Lakshmipathi

To,
C. E. Noronha Esqr. M.A.
Private Secretary to the Dewan of Mysore.

Hosakote Kistnarao
CE

DEC 1936
No. 665

Camp. Bangalore city
8th December 1936

Dear Sir,

Very grateful thanks to you.
very kind and sympathetic feelings towards
me, I have this day sent in my representation
to the Deputy Commissioner, Kolar District
regarding the unfortunate Controversy in connection
with the expenses incurred by us on behalf of the
deputation of the Kolar District Board. A Copy
of my letter to the Deputy Commissioner is enclosed
herewith for favour of your kind perusal and
information. I hope and pray, You will be
pleased to cause my liability to be graciously
cleared by our benign Government finally.
I most humbly pray you once again for treating this

(b)

matter as a special case. As action for recovery of the alleged dues is proposed to be taken without any further delay, a very early orders of Govt is most respectfully requested

Begging to be apologised for troubling this personal letter and thanking you in grateful anticipation.

With best regards.
Yours sincerely
Ellis Lunsden

Sd

Lt, Mirza, H. Ismail Kt. C.I.E
O.B.E.
Dewan of Mysore
Bangalore

Hosakoppa Krishna Rao,

(camp) Bangalore

8th December 1935.

Dear Sir,

In the matter of the expenses incurred in connection with the Deputation of the Kadur District Board regarding the Kadur - Chickmagalur Railway, you are aware that the Government of Mysore have been calling upon Mr. B. Deve Gowda and myself to pay Rs 600/- and odd, as they are not prepared to allow the same.

In this connection I saw the Dewan Saheb yesterday evening and made representation, explaining circumstances and the intention with, and the purpose for, which the expenses were incurred. The Government were pleased to allow some expenditure and to waive the share of Late Mr. C.Vasudeva Rao, so that the share that may be considered to fall to our share reduces itself considerably. How ever the purpose for which the expenses were incurred was considered by us to be necessary and for a bonafide purpose and at the time all the members of the District Board agreed with us - the deputationists and permitted us to incurr the same. After the expenditure was incurred and the deputationists returned they placed before the Board all that they had done and the expenditure they bonafide incurred and the Board were satisfied with their report and sanctioned the expenditure and have adjusted the amounts also.

in time

The Government were not placed/in full possession of those perticulars ~~xxxxxx~~ and the work - which was done by the deputationists, with the result that they have passed the order in question. I for one never question the right of our Hon'ble Government to excersise their scrutiny in these matters - but I wish to submit for their kind consideration - that in this perticular matter our acts were bonafid and the expenditure actually incurred with the bonafide belief that it was necessary and we would be - right in incurring it. It did not at that time occur tha I had to do any other act or obtain any other sancti or do some thing el... ...ore doing it. I would submit for the kind consideration of the Government - that they must make an allowance for my ignorence of the rules on the subject in not obtaining and keeping proper vouchers etc., for all items and take my bonafides into their gracious consideration and excuse my liability, if any in the matter. I am sorry that my action and work in this has been misunderstood - and I express my rgret further that my action has - occassioned Government to act in this matter.

Under the circumstances I request you very kindly forward my this representation to Government and oblige.

With best regards,

Yours Sincerely,
(Sd) H. Krishnakao

TO
M. Abdul Hukh Esqr., B.A.,

By Courier, Kadur

True Copy
Attested
8-12-1935

[illegible] Mr. [illegible]

[illegible] [illegible] [illegible]

Mr. [illegible] the

Member of Council

MD

11-12-35

(8

Received from Mr. Krishna Rao for favourable action at once
NW 9.12.35

Hosakoppa Krishna Rao,
Hosakoppa (Post).
(Koppa - Kadur).

Camp: Bangalore City,
9th December 1935.

2641/L.

Dear Sir,

In the matter of expenses incurred in connection with the deputation of the Kadur District Board regarding the Kadur - Chikmagalore Railway, I am aware that the Government have been calling upon Mr. Deve Gowda and myself to pay - Rs 600/- and odd as they are not prepared to allow the same and I learn that a civil suit is going to be filed in Chikmagalore against us very shortly.

I

In this connection, I saw the Dewan Sahib on the 7th December 1935 and explained the circumstances and the intention with, and the purpose for which the expenses were incurred. The Government were pleased to allow some expenditure and to waive the share of the late Mr. C. Vasudeva Rao, one of the deputationists, so that the share that may be considered to fall to our share reduces itself considerably. However the purpose for which the expenses were incurred was considered by us

to be necessary and for a bonafide purpose and at the time all the members of the District Board agreed with us and permitted us to incur the same. After the expenditure was incurred and the deputationists retured they placed before the Board all that they had done and the expenditure they bonafide incurred and the Board were satisfied with their report and sanctioned the expenditure and have adjusted the amounts also.

The Government were not placed in time in full possession of these particulars and the work which was done by the deputationists, with the result that they have passed the order in question. I for one never question the right of our Honourable Government to exercise their scrutiny in these matters but I wish to submit for their kind consideration that our acts were bonafide and the expenditure was actually incurred with the bonafide belief that it was necessary and we were right in incurring it. It did not at - that time occur to me that I had to do any other - act or obtain any other sanction or do something else before doing it. I would submit for the kind consideration of our benign Government that they must make an allowance for my ignorance of the rules on the sub-

subject in not obtaining and keeping proper vouchers etc., for all items and take my bonafides into their gracious consideration and excuse my liability, if any in the matter. I am sure that my action and work in this has been misunderstood and I regret that my action has occasioned Government to act in this matter.

Under these circumstances, I request that Government will be pleased to reconsider their decision and waive my liability in this matter, in view of my above representation. As the Deputy Commissioner, Kadur District is, I definitely learn, going to cause a civil suit to be filed against us, -Very shortly, a very early issue of a direction to him to stay further proceedings pending reconsideration and order of Government on the subject is earnestly requested.

Thanking you in anticipation, and with best reagrds.

Yours Sincerely,

TO

M.Venkatanaranappa Esqr., M.A.,
Secretary, Development
Departments, Govt. of Mysore
Bangalore.

Serial No.

It is ascertained that no file on the subject has been sent to the Dewan from the Lawfield, in connection with a representation received from Mr Bagawane Deva Gowda. A G.O. order directing the filing a suit for the recovery of the amount & asking the Dewan to take necessary action has been issued from the Lawfield

3749
9/12

NOTE—Contn Sheet.

WD 03594—GPB—30,000—13-7-35

Dewan Secy) 9/12

This may also be dealt with while Law section. urgent

9.12

Lawfield)

5453 p 838

File No. of 193 .

General and Revenue Secretariat

The main file has been submitted to the Dewan.

For personal orders

Gensey) 9/12

Please place in that file when send back. On a representation given by Mr. Hon. K. Rao the Dewan has passed orders.

9/12

GENERAL SECRETARY'S
9 DEC. 193

Recovery of Kadur Dt. Bd's deposit on cha

3327/ (3) /12

General and Revenue Secretariat | Law File No. 93 of 1935. | [App. F. III—2

Serial No.

9) Re-submitted for orders.

JSD 9/12

Gen Secy) 10/12

10) Mr. Hosakoppa's letter to Dew Secy is also placed below

10/12

11) Mr Hosakoppa Krishna Rao's letter dy. 8/12/35 and the Dewan's orders thereon are subd for perusal.

Mr Hosakoppa is anxious to avoid payment but desires at the same time to save his face. That is why apparently now he expresses regret in person but writes in a different tone.

A reply to Mr Rao is putting for appl. A copy will be sent to the Dy. Comr Kadur District.

First member)

Second member) 10/12

10/12

11/12

3391/11-12

12) Dew Secy. Appd with a slight amen

12/12

4214/12-12

13) I am not sure that any expression of regret can mitigate the irregularity and deliberate misuse of public funds. However I have no objn to the proposed draft reply

13/12/35

13/12

14-12-35

Done Today

13/12

OFFICE OF THE SECOND MEMBER OF COUNCIL. 12 DEC. 1935 No. 4557

DEWAN'S OFFICE 14 DEC. 1935 No. 3930

NOTE—Contra. Sheet

WD 03594—GPB—30,000—18-7-35

H-5 SECTT.

3339
3650
3651

Land File No. 93 of 1935 General and Revenue Secretariat

To Mr. H. Krishna Rao. D.O letter No P 3902 dated 16.12.35. Sir, for reasons given, his request cannot be entertained in the terms in which it is made & that the D.C is being instructed to proceed in the matter. No P.3903 dt 16/12/35 copy to D.C. Kadur.

From Mr. Deputy Commr Kadur Dt

D.O. letter No. AZ. 4800-34 dt 16/12/35

Submits copy of one Hirkoppa Krishna Rao's letter dt 9.12.35 and adds that no reconsideration of the orders already passed is necessary

From

Mr. Hirkoppa Krishna Rao.

D.O. letter dt. 11.12.35

Requests reconsideration of the orders passed.

Submitted.

(1) These letters since received will be kept in the file, as appears no further action is suggested in the Diwan's 'minute' on the letter of Mr. H.K. Rao. received yesterday.

17/12/35

(2) For perusal (Jensen)

17/12

21/12

23/12

Diwan's orders on this letter:—

"Jensen

requires no notice. These people try to be too clever. I wish they were more straightforward

Sd M.V.

16/12

GENERAL SECRETARIAT
17 DEC 1935
736

Sir C.

20/12/

DEWAN'S OFFICE
23 DEC. 1935
No.....

(14)

To
Hosakotta Krishna Rao
Hosakotta Po (Kolar - Kadur)

3811 of 35
Law 93-95=3 P

Hosakotta 20-12-1935

Dear Sir,

I feel no hesitation in accepting with grateful thanks, the suggestion made by Government, thro' your kind intervention regarding the form in which the expression of my regret and a request be excused from refunding the amount of expenditure incurred by us — the deputations regarding Kolar-Chikkaballapur Railway and which has been held to have been unauthorised and improperly appointed, is to be made, as communicated by the General Secretary to Government vide his letter no. 3902 dated the 16th inst and I have this day submitted to the General Secretary to Government a letter containing

a simple and unqualified expression of regret and a request to be excused from responding the amount of my share in that connection. I am submitting herewith, for your kind information above, a copy of my letter to the Finance Secretary, which you will be pleased to find to be in the form in which Government desires me to make that request. I pray most humbly that this unfortunate controversy will thereby be allowed to rest at rest and my humble self excused from responding the amount.

Thanking you in grateful anticipation and with best regards.

Yours sincerely

For Sir Mirza M. Ismail Kt Dewan of Mysore

C.I.E. O.B.E

16

Submitted to the Deway - Saheb for favour of kind information

"Copy".

Hosakotta Krishna Rao

Hosakotta Po (Kolla-Kadur)

Hosakotta. 20.12.35

Dear Sir,

In the matter of expenditure incurred by the deputation of the Kadur District Board regarding Kadur - Chikmagalur Railway, I have given unqualified expression to my regret in having incurred the expenditure which has been held by Government to have been unauthorised and improper and request that Government will be pleased to excuse me from refunding the amount of my share in this connection

Kindly request instructions may kindly be issued by Government to the Deputy Commissioner Kadur to stay contemplated Civil proceedings against me, pending reconsideration and final orders of Government on the above representation

with best regards

Yours sincerely

(Sd) H Krishna Rao.

To

H. Venkatesha Iyengar Esq. M.A.

General Secretary to Government.

Bangalore

"True Copy"

Illegible

20.12.35

Rcd 23/12
Dw xi

(17

Hosakotta Krishna Rao.
Hosakotta P.O (Kotta-Kadur)

Hosakotta 20.12.35

Dear Sir,

In the matter of expenditure incurred by the deputation of the Kadur District Board regarding Kadur-Chickmagalur Railway, I hereby give unqualified expression to my regret in having incurred the expenditure which has been held by Government to have been unauthorised and improper and request that the Government will be pleased to excuse me from refunding the amount of my share in this connection.

Very urgent instructions may kindly be issued by Government to the Deputy Commissioner, Kadur. ~~Kadur~~. to stay certain pleaded civil proceedings

against me; pending reconsideration and final orders of Government on her above representation

With best regards.

Yours sincerely,

Thushara Gowda

For

M. Venkatesha Murthy Esq
M.A

General Secretary
Government
Bangalore

Serial No.

18) D/f. Subd for consideration.

28/12/85

19) It is better to put up a letter to the DC instead of a G.O.

28/12/85

WD 03594—GPB—30,000—13-7-35

3811

(18

Law File No. 93 of 1935

General and Revenue Secretariat

20) Dft. D.O. letter sent up for consideration.
Law 6/12/35

21) For perusal please move
Chief Secretary) G 20/12/35

Gen 31/12/35

To,

The D.C. Kadur

D.O. no. P.4241 d 31.12.35 informing that Govt have decided to drop the proceedings against Mr. H. Krishna Rao

From,

The D.C. Kadur

no. A2 - 4000/35-36 d 25.12.35

forwarding the letter d nil received from Mr. H. Krishna Rao.

(orders have already been passed)

Mr. Bageshwara Devegowda
President Dt. P.

Letter dated 25.12.35 expressing his regret for his action and requesting for reconsideration of his case.

Recovery of the Kadur Dr. ct Rs. Department 3656 3900
Charges.

/19

General and Revenue Secretariat | Law File No. 93 of 1935 | [App. F. III—2

Serial No.

1) Submitted for perusal and orders.

TSD 4/1

General Secretary) 4/1/36

GENERAL SECRETARIAT 3- JAN. 1936 97

2) The proceedings may be stayed against this gentleman also.

Rao 4/1/36

First Member)

OFFICE OF THE FIRST MEMBER OF COUNCIL 4 JAN. 1936 No. 4680

DEWAN'S OFFICE 6 JAN. 1936 No. 4.3.22

Dewan) 4/1/36 Rao 4/1/36

3) I agree. The papers may kindly be sent to this office for information. M 8-1-35

4) By Dewan Rao 9.1.36.

5) Submitted for perusal with D.O.N. Rao 9.1.36.

TSD 9/1

2nd Member)

To be submitted to 1st Member before Dewan & D.O.N.

1st Member Rao 9/1/36

6) This case relates to the Law Dept and may be submitted to Finance Member

Rao 11/1/36.

7) Submitted with D.O.N.

First Member) Rao 11/1/36

Rao 10/1

OFFICE OF THE SECOND MEMBER OF COUNCIL 10 JAN. 1936 No. 5294

OFFICE OF THE FIRST MEMBER OF COUNCIL 13 JAN. 1936 No. Law 7

NOTE.—Continue Sheet.

WD 03594—GPB—30,000—13-7-35

Recovery of the Kadur Dt. B.P. Rs. deputation Charges

3900

Hair File No. 93 of 1935

General and Revenue Secretariat

Signed Final Note is put up.

Sd/-
15/1.

Sd/-
15/1/36

Sd/-
16/1

Dewan)

DEWAN'S OFFICE
16 JAN. 1936
No. 447.8.

Submitted to His Highness.

I submit herewith a Final Note by the First Member of Council on the subject of the expenditure relating to the deputation to the Dewan in connection with the Kadur-Chikmagalur Railway Scheme, for His Highness's gracious perusal.

Mirza M. Ismail

Bangalore,
16th January 1936.

DEWAN.

Final Note by the Firs. .Member of Council.

Subject.—

Expenditure relating to the deputation to the Dewan in connection with the Kadur-Chikmagalur Railway Scheme.

It was brought to His Highness' gracious notice in a Final Note of 12th February 1934 that action was taken to recover the amount of the expenditure improperly incurred by a deputation of the Kadur District Board in the above connection. As the amount was not paid by the persons concerned, Government in their Order No.P.3219-22/Law 93-35-1, dated the 13th November 1935 accorded sanction to file a Civi suit against Messrs. Hoskoppa Krishna Rao and Bagamane Deve Gowda to recover the amount misapplied by the deputation.

Both Messrs. Hoskoppa Krishna Rao and Bagamane Deve Gowda have now expressed regret and request to be excused from refunding the amount held to have been improperly spent.

In view of this, it is proposed to take no further action against the two gentlemen. The Dewan is agreeable to the proposal. The papers are submitted for His Highness' gracious perusal.

Sd/ Rajagopal

MEMBER OF COUNCIL.

Bangalore,
15th January 1936.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Expenditure relating to the deputation to the Dewan in connection with the Kadur-Chikmagalur Railway Scheme.

C. Secy
22.1.31

372

Order.

~~KRW~~
20/1/36

22-1-36

3950

H.H. 388

General and Revenue
Secretariat

SUBJECT:-

Expenditure relating to the Deputation to the Deccan in connection with the Kadur - Chikmagalur Railway Scheme.

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Head-quarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after* issue of orders. (*Vide Rules* 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

..... Department.

5163
23.1.

FIRST MEMBER OF COUNCIL.

24/1

5579
24/1

SECOND MEMBER OF COUNCIL.

26/1/36

Proto Branch

27-1-36

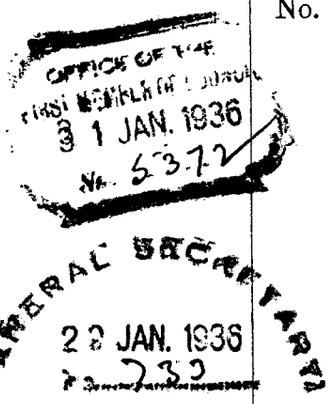
NOTE.—Contn. sheet.

Draft go
DRP
27/1/36

3900 (25

General and Revenue Secretariat | File No. 93 of 193 5 | [App. F. III—2

Serial No.



Dft S.O. subj for appr

BD 27/1

(Genl Secy) 27/1

Secy 31/1

(Finl Member) 31/1

Issue off-
Secy
3/2
Secy 3/2

Returned for disposal

193

To,

Mr D.C. Kadam

" Brijdeen Mr. B.D. Kadam

" Comptroller

" S. AD.

S.O. no. P. 5190-3 dt 5.2.36 directing that further action in the matter be dropped.

NOTE—Contn Sheet.

WD 03594—GPB—30,000—13-7-35

No. L. B. 1-126/33-34.

OFFICE OF THE PRESIDENT,
Kadur District Board.

Dated, Chikmagalur 30th November 1935

From

Bagamane Deva Gowda, Esquire,
President, Kadur District Board,
Chikmagalur.

To

M. Venkatesa Iyengar, Esquire., M.A.,
General Secretary to Government of Mysore,
BANGALORE.

GENERAL SECRETARIAT
5 DEC. 1935
Through

The Deputy Commissioner,
Kadur District, Chikmagalur.

Sir,

Adverting to Government Order No.P. 3219-22 Law.93-35-1 dated 13th November 1935 regarding the recovery of certain amounts from the members of the Railway Deputation, I have the honour to state that when the said Government Order was placed for the information of the District Board at their meeting held on the 15th and 16th instant they resolved as follows:-

" The Board makes it clear to Government that neither the Board nor the individual members concerned in regard to the Railway Deputation charges have the least intention to show any disrespect to Government Orders on the subject. They only most humbly pray that the expenses having been actually incurred by the Deputationists and the Board having accepted by the Votes of the majority the accounts of the Deputationists, being satisfied with the bonafide nature and the Deputationists ~~themselves~~ -- themselves having now made a request to the Board to request the Government to be pleased to waive, as a concession towards their laboured efforts, the question of recovery of the amount from them, the question may kindly be reconsidered. The amount of Rs.500/- advanced in this connection and Rs.180/- paid as T.A. to members is adjusted out of Rs. 750/- sanctioned by the District Board and the remaining may, under the circumstances not be paid to the Deputationists"

In

3333/B35
P Law 93-35-2

In enclosing herewith the Resolution of the Board for the kind perusal of the Government I request you to kindly move Government to reconsider the question as per prayer of the Board and to issue immediate instructions to the Deputy Commissioner not to take further steps for the recovery of the amount as per Government Order adverted to in Para 1 till final orders are passed on the above resolution of the Board.

I have the honour to be,

Sir,

Your most obedient servant,

B Doraswamy

President.

Kadur District Board.

A3
1.12.1935
Kadur M

9124

Forwarded with compliments. I do not think that the case deserves to be reconsidered. The Counsel for filing the suit has been engaged as ordered by Government and the Plaint is in the Course of preparation

Mukthalla

1/12/35

Dy. Comm.

Extract from the Proceedings of the meeting of the Kadur District Board convened on the 15th and 16th November 1935.

=====

Subject No. 72.

Government Order No. P. 3219-22/Law. 93-35-1 dated 13-11-1935 regarding the recovery of Railway Deputation Charges.

Resolution:-

The Board makes it clear to Government that neither the Board nor the individual members concerned in regard to the Railway Deputation charges have the least intention to show any disrespect to Government Orders on the subject. ~~The~~ They only most humbly pray that the expenses having been actually incurred by the Deputationists and the Board having accepted by the votes of the majority the accpunts of the Deputationnists, being satisfied with the bonafide natire and the Deputationnists themselves having now made a request to the Board to request the Government to be pleased to waive, as a concession towards their laboured efforts, the question of recovery of the amount from them, the question may kindly be reconsidered. The amount of Rs.500/- advanced in this connection and Rs.180/- paid as T.A. to members is adjusted out of Rs. 750/- sanctioned by the District Board and the remaining may, under the circumstances not be paid to the Deputationists".

Sd. Bagamane Deva Gowda.

President,
Kadur District Board.

" C O P Y "

President,

Kadur District Board.

No P 3750

9th December

Dear Sir,

I am desired to acknowledge receipt of your D.O.letter No. L.B.1-126/33-34 dated 30th November 1935, requesting the delay of proceedings for the recovery of the excess of the Railway Deputation charges from the members of the Deputation by a fortnight and to say that Government see no reason for giving any further time as requested as the deputationists have had plenty of time to make payment. As you assure payment, however, I am to add that if the amount is paid before the 15th instant, further proceedings will be stayed.

To

Bagamane Deva Gowda,Esq.,
President District Board,
Kadur District.

Yours sincerely,

(Sd) M.Venkatesa Iyengar,
General Secretary to Government.

M E M O. No. P 3751 dt 9-12-35

Copy of the above is forwarded, with compliments, to the Deputy Commissioner, Kadur District with reference to his Memo. No. 9124 dated 1st December 1935.

By order,

Draft

eneral Secretary to Government.

No P 3902
Leave 93-35

To

Hoskoppa Krishna Rao, Esq.,
Chikmagalur.

P 3902
G 16 12-35

Dear Sir,

I am desired to acknowledge receipt of your letter dated 8th December 1935 to the Dewan enclosing a copy of your representation to the Deputy Commissioner, Kadur District, on the subject of the recovery of a part of the charges of the Railway Deputation unauthorisedly incurred and to say that your letter to the Dy Comr is not the kind of communication that can be accepted at this stage of the case. You are really beginning a discussion of the facts over again, whereas what Government would be prepared to consider is a simple and unqualified expression of regret and a request to be excused from refunding the amount held to have been improperly spent. While therefore Government would be inclined to give favourable consideration to a communication made in this sense, they are therefore unable to entertain your request in the form in which it is now made. Instructions are, therefore, being issued to the Deputy Commissioner, Kadur District to proceed in the matter as previously ordered.

Yours sincerely,

10/12/35

P 3903 G 16 12-35
Copy to the
D C Kadur
dt. 10/12

(31)

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Bangalore, Dated, 16th December 1935.

D. O. No. P 3902

Dear Sir,

I am desired to acknowledge receipt of your letter dated 8th December 1935 to the Dewan enclosing a copy of your representation to the Deputy Commissioner, Kadur District, on the subject of the recovery of a part of the charges of the Railway Deputation unauthorisedly incurred and to say that your letter to the Deputy Commissioner is not the kind of communication that can be accepted at this stage of the case. You are really beginning a discussion of the facts over again, whereas what Government would be prepared to consider is a simple and unqualified expression of regret and a request to be excused from refunding the amount held to have been improperly spent. They are therefore unable to entertain your request in the form in which it is now made. Instructions are, therefore, being issued to the Deputy Commissioner, Kadur District to proceed in the matter as previously ordered.

Yours sincerely,

Sd/- M. Venkatesa Iyengar,

General Secretary to Government.

Hoskoppa Krishna Rao, Esq.,
Chikmagalur.

Memo No. [illegible]

Copy of the above is forwarded with compliments to the Deputy Commissioner, Kadur District.

By Order,

General Secretary to Government.

Aa-4800-34

Mr. M. ABDUL HUKH, Exe. cad
DEPUTY COMMISSIONER.

3650/37

Office of the Deputy Commissioner,
KADUR DISTRICT.
Chikmagalur, 14th December 1935.

GENERAL SECTT. BRANCH
16 DEC. 1935

Dear Sir,

With reference to Government Order No. P. 3219-22/Law 93-35-1 dated the 13th November 1935 directing that a Civil suit should be filed against Mr. Hosakoppa Krishna Rao and Mr. Bagmane Deva Gowda and the submission of the draft plaint for the approval of Government, I have herewith submitted a copy of Mr. Hosakoppa Krishna Rao's letter received on 9-12-1935 for the information of Government as desired by him. I cannot, however, endorse what he states and I think that no reconsideration of the orders already passed is necessary.

Yours sincerely,

Abdulhukh

To

M. Venkatesa Iyengar Esq., M.A.,
General Secretary to Government of Mysore,
Bangalore.

Copy of letter dated 8-12-1935 from Mr. Hosakoppa Krishna Rao Camp Bangalore, to the Deputy Commissioner, Kadur District.

--:000:--

In the matter of the expenses incurred in connection with the Deputation of the Kadur District Board, regarding the Kadur - Chikmagalur Railway, you are aware that the Government of Mysore have bee calling upon Mr. B. Devegowda and myself to pay Rs 600/- and odd, as they are not prepared to allow the same.

In this connection I saw the Dewan Saheb yesterday evening and made representation, explaining circumstances and the intention wit and the purpose for, which the expenses were incurred. The Governm were pleased to allow some expenditure and to waive the share of la Mr.C.Vasudeva Rao, so that the share that may be considered to fall to our share reduces itself considerably. However the purpose for which the expenses were incurred, was considered by us to be necessa and for a bonafide purpose and at the time all the members of the District Board agreed with the same. After the expenditure was inc- red and the deputationists returned, they placed before the Board a that they had done and the expenditure they bonafide incurred and th Board were satisfied with their report and sanctioned the expenditur and have adjusted the amounts also.

The Government were not placed in time in full possession of th particulars and the work which was done by the deputationists, with the result that they have passed the order in question. I for one never question the right of our Hon'ble Government to exercise their scrutiny in these matters but I wish to submit for their kind consideration that in this particular matter, our acts were bonafide and the expenditure actually incurred with the bonafide belief that it wa necessary and we would be right in incurring it. It did not at that time occur that I had to do any other act or obtain any other sanctio or do some thing else before doing it. I would submit for the kind consideration of the Government that they must make an allowance for my ignorance of the rules on the subject in not obtaining and keeping proper vouchers etc., for all items and take my bonafides into their gracious consideration and excuse my liability, if any, in the mat

I am sorry that my action and work in this has been misunderstood and I express my regret further that my action has occasioned Government to act in this matter.

Under the circumstances, I request you very kindly forward my this representation to Government and oblige.

C o p y.

Deputy Commissioner,

14-12-1935. Kadur District.

965-1 935
P
275

Hosakotta Krishnarao,
Hosakotta Po (Kotta-Kadur)

DEWAN'S OFFICE
13 DEC. 1935
No. 663

14-12-1935

Dear Sir,

I just learn that the Government have not accepted my letter of regret written to the Secretary to the Govt and the Deputy Commissioner, Kadur District, in regard to the expenses incurred by the Deputation of Kadur District Board regarding Kadur-Chickmagalur Railway. I had sent you copy of my letter, immediately I wrote the same, for your kind perusal and information. You were kind and good enough to agree to condone me in this affair. I am in very hard and difficult circumstances, as I represented to you personally. I made my mind and circumstances very clear to you. Now I do hope and pray once again

that the Government will be pleased to
accept my most humble request contained
in that letter (dated the 10th inst and handed
over to the Secretary to Govt, Development
Department) and waive my liability in the
matter

I trust, I will not have appealed
to you in vain Begging to be excused for this
personal letter & thanking you in grateful
Anticipation

And with best regards.

Yours sincerely

M. Visvesvaraya

Sir M. Visvesvaraya K.C.S.I. C.I.E.
O.B.E
Dewan of Mysore
Bangalore
16/12

Hon'ble Kotha Krishnaiah
Hosakote P.O. (Kolar-Kadur)

OFFICE OF THE
SECOND MEMBER OF COUNCIL.
19 DEC. 1935
NO. M 68

Hosakote 15.12.1935

Dear Sir

In the matter of expenses incurred in connection with the deputation of the Kadur District Board regarding the Kadur-Cheekmagalur, I. Rly I beg to approach you for the kind favourable consideration of the following representation of mine.

It is not to be supposed that the Rly. Dept was allowed to assume the form of controversy between the representations and the government. The government was however pleased to allow some expenditure and to waive the share of the Cheekmagalur - Tarikere - Kadur District Board, but the share that may - as now, be considered to our share. (Mr Deve Gowda and myself - Who are now called on to pay Rs 600) reduces itself considerably. I hear it permitted to state that the purpose for which the expenses

were incurred was considered by us to be necessary and for a bonafide purpose and at the time all the members of the Board agreed with us and permitted us to incur the same After the expenditure was incurred and the deputationists returned they placed before the Board all that they had done and the expenditure they bonafide incurred and the Board were satisfied with their report and finally approved the expenditure incurred (as per accounts tendered by them) and have adjusted the amounts also.

The Government were not, I am, however sorry to find Sirs, in full possession of these particulars and the work which was done by the deputationists, and I am also sorry that representations were not made in proper form. The result has been the misstatement by Govt on recovery from us of the amount. Paid to the amount to this application of Board's funds. I forme never question the rights of our Hon'ble Government to exercise their Secretary in these matters but I wish to submit for their

Kind Consideration that our acts were bonafide and the expenditure was actually incurred with the bonafide belief that it was necessary and he would be right in incurring it. It did not at that time occur to me that I had to do any other act or obtain any further sanction or do something else before doing it. I would submit for the kind consideration of our honours that they would be pleased to make an allowance for my ignorance of the rules on the subject in not obtaining ~~further~~ any other sanctions or keeping proper vouchers &c. for all items, and take my bonafide into their gracious Consideration and excuse my liability if any, in the matter. I am ~~sure~~ sorry that my action and work in this affair has been misunderstood and I regret, my action has occasioned inconvenience to all in this manner.

Under these circumstances, I request you - as member - in - charge your

benign Government to reconsider the decision of Government in the matter and waive her liability in this matter, in view of my above representation.

I may be permitted to add that I made a representation on almost the same lines as above to the Secretary, Development Department on the 10th inst, when I had been to Bangalore recently and I am given to understand that my representation has not been accepted by Government. I am not however communicated authoritatively as yet, to that effect. I am however approaching you with ~~this~~ my this most humble appeal for giving my representation most Sympathetic Consideration, in view of what I have said above and further in view of the very hard circumstances under which I ~~am~~ have been for the last one year.

To the Deputy Commissioner, Kadur

District is, I defendedly leave, going to cause a civil suit to be filed against us, a very early issue of a direction to him to stay proceedings, pending reconsideration and order of Government on the subject is hereby humbly requested.

I trust and pray Govt will not have made this appeal in vain.

Thanking you in grateful anticipation and with best regards.

Yours sincerely
Ellis Lawford

To

N Madhava Rao Esq BA
Member of Council
Bangalore

D. O. No. P 4241 Law 93-35

GENERAL AND REVENUE SECRETARIAT, 42

Bangalore, Dated, 31st December 1935

Confidential

Dear Sir,

With reference to your D.O.letter No.A3-4800-34 dated 14th December 1935 forwarding with your opinion [illegible] of Mr.Hosakoppa Krishna Rao's letter in connection with the proposed suit for the recovery of the amounts misapplied from the funds of the Kadur District Board, I am desired to inform you that Government have decided to drop the proceedings so far as Mr.Hosappa Krishna Rao is concerned, after taking into consideration his letter dated 20th December 1935 expressing an unqualified regret and requesting to be excused from liability in the circumstances represented.

Yours sincerely,

Sd/- A.V.Ramanathan.

M. Abdul Hukh, Esq., B.A.,
Deputy Commissioner, Kadur District.

Memo No. P 4242 W.C

Copy of the above is forwarded to the Government Advocate in Mysore, Bangalore. for information

By Order,

for General Secretary to Government

Appendix F G—1]

SUBJECT.....

.....

.....

Section Law

File No. 93-35

Serial No. 4 Confidential

Diary No. of letter replied to..... .....

No. P-4241

To

Dear Sir,

General and Revenue Secretariat

( )

the 31 DEC 1935

Date of issue 31/12/35.

Signed by Mr. A. V. Ramanathan

With reference to your D.O. letter No. A3-4800 dated 4th December 1935 forwarding with your opinion copy of Mr Hosa Koppa Krishna Rao's letter in connection with the proposed suit for the recovery of the amounts misapplied from the funds of the Kadur D.B. Board, I am desired to inform you that Government have decided to drop the proceedings

List of enclosures.....

Copied by .....

Examined by.....

WD 03601—GPB—30,000—23-9-35

So far as Mr Hosakoppa
Krishna Rao is concerned,
after taking into consideration
his letter dt 20-12-35 expressing
an unqualified regret
and requesting to be excused
from liability in the circumstances
represented.

yours etc

C
30/12

Mr. Abdul Hak Esq. B.A
Dy Commr. Kadur Dt
Chickmagalur Dt

P 4262
copy to G. A
for information

3896/35

In reply please refer to—
No. C3-4800/33-34

Encl. One.

OFFICE OF THE DEPUTY COMMISSIONER.
KADUR DISTRICT.

Chikmagalur, dated 25th December *193*5

FROM

M. Abdul Hukh, Esquire, B.A.,
Deputy Commissioner,
Kadur District.

To

M.Venkatesa Iyengar,Esq.,M.A.
Secretary to the Government of His Highness
the Maharaja of Mysore,
General *Department,*
BANGALORE.

SIR,

Adverting to your memo No. 3903 dated the 16th instant forwarding copy of your letter to Mr. Hosakoppa Krishna Rao in the matter of - waiving the Railway deputation charges incurred by him, I have the honour to forward herewith his letter dated the 20th instant received from him for orders of Government.

I have the honour to be,

Sir,

Your most obedient servant,

Deputy Commissioner,
Kadur District.

M.N.S.

(46

Hoza Kotha Krishna Rao.
Hoza Kotha. Po (Kotha-Kadur)

Immediate

Hoza Kotha 20.12.35

Dear Sir.

In the matter of expenditure incurred by the deputation of the Kadur District Board regarding Kadur-Chikmagalur Railway, I hereby give unqualified expression to my regret in having incurred the expenditure which has been held by Government to have been unauthorised and improper and request that you will kindly forward to Government my above expression of regret, with a request of mine for kindly

securing her Dam. regarding the Amount of her share in the above Connect.

I also request you kept Carefully to stay Certain Plaint Civil Proceedings against her, for the recovery of charges, pending ~~reconsideration~~ reconsideration and orders of Government on the representation I have now made on the subject, ~~as~~ above.

Thanking you in anticipation And with best regards.

Yours Sincerely,

For

M. Abdul Hakh Esq. BA
Deputy Commissioner, Kadur
District
Chickmagalur

3900 P 35. 48

Bagamane Deva Gowda
Coffee Planter & President,
Kadur District Board.
=====

Chickmagalur,

Dated, 25th December 1935.

Law 93-35-5

To

The General Secretary,

to Government of Mysore,

Bangalore.

GENERAL SECTT. INDIA
31 DEC. 1935

Through,

The Deputy Commissioner

Kadur District, Chikmagalur

Sir,

Adverting to Government Order No.P. 3219-22 Law. 93-35-1 dated Bangalore the 13th November 1935 directing the filing of a suit against Mr. Hosakoppa Krishna Rao and myself for the recovery of certain sums regarding Railway Deputation and requesting the Deputy Commissioner, Kadur District to take further action by filing a suit in the Munsiff's Court at Chickmagalur, I beg to state that I am sorry for my action in approving of the accounts of expenditure placed before me by Mr. Hosakoppa Krishna Rao since I could do nothing but approve of the same along with Mr. Vasudeva Rao as it was not left to me to scrutinise the accounts. As such I beg you to kindly move Government to reconsider the question and remove my liability in the matter and issue instructions to the Deputy Commissioner not to take me as a party in filing the suit.

I beg to remain,

Sir,

Your most obedient servant.

B Devagowda

A3
24/12/35

A. 3-4800/334
10426.

Memo
Forwarded with compliments

Deputy Commissioner
Kadur Dt.
27/12/35

Bagamane Deva Gowda
Coffee Planter & President
Kadur District Board.
=====

Chickmagalur,

Dated, 25th December 1935.

To

The General Secretary,

to Government of Mysore,

Bangalore.

Through

The Deputy Commissioner

Kadur District, Chikmagalur

Sir

Advertising to Government Order No.P. 3219-SS Law.

... dated Bangalore the 13th November 1935 directing the filing of a suit against Mr. Hosakoppe Krishna Rao and myself for the recovery of certain sums regarding Railway Deputation and requesting the Deputy Commissioner,Kadur District to take further action by filing a suit in the Plaintiff's Court at Chickmagalur. I beg to state that I am sorry for my action in approving of the accounts of expenditure placed before me by Mr. Hosakoppa Krishna Rao since I could do nothing but approve of the same along with Mr. Vasudeva Rao as it was not left to me to scrutinise the accounts. As such I beg You to kindly move Government to reconsider the question and remove my liability in the matter and issue instructions to the Deputy Commissioner not to take me as party in filing the suit.

I beg to remain,

Sir,

Your most obedient servant.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read:—

Government Order No.P.3219-22/Law 93-35-1 dated 13th November 1935 according sanction to file a civil suit against Messrs: Hoskoppa Krishna Rao and Bagamane Devegowda for recovery of the amount misapplied by them in connection with the deputation to the Dewan regarding the Kadur Chickmagalur Railway Scheme.

2. Letters dated 20th December 1935 and 25th December 1935 from Messrs: Hoskoppa Krishna Rao, and Bagamane Devegowda respectively expressing regret for their action and requesting to be excused from refunding the amount held to have been improperly spent.

Order No. PS190-3/Law 93-35-6

Dated Bangalore 4th February 1936.

In view of the unqualified regret expressed by Messrs: Hoskoppa Krishna Rao and Bagamane Devegowda, Government are pleased to direct that further action in the matter be dropped.

For General Secretary to Government.

To

The Deputy Commissioner, Kadur District.

The President, District Board, Kadur.

The Comptroller to Government.

The Government Advocate, Bangalore.

TSS.6

G. R. S. App. F VI—G 2]

SUBJECT .....

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Diary. No of letter replied to .....

Section Law

File No. 93-35

Serial No. 6.

General and Revenue Secretariat

( )

the *193*

Proceedings of the Government of His Highness the Maharaja of Mysore.

Date of issue 5/3/ 1936.

'7'

Signed by K. V. R. J. R.

Read— G.O. no. P. 3219-35 Law 93-35-1 d. 13.11.35 according sanction to file a civil suit against Messrs. Hosakoppa Krishnaji and Bagemane Deregowda for recovery of the amount misappli[ed] them in connection with the deputation to the Dewan ~~Order thereon.—No.~~ ~~in Connection~~ * regarding ~~with~~ the Kadur-Chickmagalur Railway Scheme.

2. Letters dated 20.12.35 and 25.12.35 from Messrs. Hoskoppa Krishna Rao, and Bagemane Deregowda respectively expressing regret for their ac[t]

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

Wdt/2

and requesting to be excused from refunding the amount held to have been improperly spent.

order: D 5190-3

In view of the unqualified regret expressed by Messrs. Hoskoppa Krishna Rao and B Devegowda Govt are pleased to direct that in the matter be dropped further action is ~~necessary~~.

Sanction is accorded to write off the amount due from the persons mentioned above.

General Secretary

TSD 27/1

To,

Sri. D.C. Kadur

" President Dr. B.R. Kadur

" Comptroller

" Govt. AD.

Copy to L.S.G. Br. Section 5-2-36

List of Enclosure

Copied by

Examined by

WD 0185—GPB—15,000—13-8-34